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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

XU JUN LEE,

Plaintiff,

v.

MICHAEL CHERTOFF, Secretary of the
 Department of Homeland Security;
 EMILIO T. GONZALEZ, Director, U.S.
 Citizenship and Immigration Services;
 ROBIN BARRETT, Field Office Director,
 San Francisco District Office, U.S. Citizenship
 and Immigration Services;
 ROBERT S. MUELLER, Director of
 Federal Bureau of Investigation,

Defendants.

No. C 07-2685 SC

**STIPULATION TO DISMISS AND
 [PROPOSED] ORDER**

Plaintiff, by and through his attorney of record, and Defendants, by and through their attorney of record, hereby stipulate, subject to the approval of the Court, to dismissal of the above-entitled action based on the following:

1. The plaintiff filed an application for naturalization with the United States Citizenship and Immigration Services ("USCIS") on September 2005.
2. The plaintiff is currently the subject of a criminal proceeding in State Court.
3. Upon completion of the criminal proceedings, the Plaintiff will file a copy of the State

1 Court's disposition with the USCIS.

2 4. Upon receipt of the Court disposition, the USCIS will adjudicate Plaintiff's application for
3 naturalization within 30 days.

4 Each of the parties shall bear their own costs and fees.

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6 Dated: September 12, 2007

/s/

ILA C. DEISS
Assistant United States Attorney
Attorney for Defendants

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9 Dated: September 12, 2007

/s/

JUSTIN X. WANG
Attorney for Plaintiff

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12 **ORDER**

13 Pursuant to stipulation, IT IS SO ORDERED.

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16 Date:

SAMUEL CONTI
United States District Judge